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☒ Transmittal Letter (2 pages)
☒ Information Disclosure Statement (3 pages)
 & PTO/1449 (7 pages)

☒ Cited References 108
☐ Check No. _____ for \$ _____
☐ Express Mail # _____

Serial No.: 09/497,373

Attorney Docket No.: MLTA-004/01US

Due Date: _____

Mail Date: May 18, 2000

Attorney/Secretary: TLE/LN

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By: _____



Kendrick Nguyen

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Amir ALON, et al.

Serial No.: 09/497,373

Examiner:

Filed: February 3, 2000

Art Unit: 2768

For: METHOD AND APPARATUS FOR CREATING AND MANAGING GROUPS
FOR INCREASING BUYING POWER ON THE WORLD WIDE WEB

Assistant Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT TRANSMITTAL

1. Transmitted herewith are:

- ☒ Information Disclosure Statement
- ☒ PTO Form 1449
- ☒ Copies of publications listed on the PTO Form 1449
- ☐ English translation of foreign language reference(s)
- ☐ No copies of publications listed on the PTO Form 1449 are being provided as this application claims continuation status to application Serial No. _____ and copies of the listed publications were provided in the parent application.
- ☐ Copy of foreign examination report
- ☐ English translation of foreign examination report

2. ☒ This Information Disclosure Statement is filed before the later of:
- ☐ three months from the filing date of this national application;
 - ☐ three months from the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; or
 - ☒ the mailing date of a first office action on the merits.

In accordance with 37 CFR 1.97(b), no fee is required.

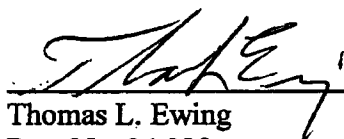
3. Fees

- ☒ No fee is required.
- ☐ Check in the amount of \$_____ is attached.
- ☐ Please charge Deposit Account No. 03-3117 in the amount of \$_____.
- ☒ The Commissioner is hereby authorized to charge any underpayment or credit any overpayment of the patent application processing fees under 37 CFR 1.17 associated with this communication to Deposit Account No. 03-3117.

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517540 v1/PA
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Respectfully submitted,
COOLEY GODWARD LLP

By:


Thomas L. Ewing
Reg. No. 34,328

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Assistant Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Applicant hereby submits this Information Disclosure Statement in accordance with 37 CFR 1.98 and pursuant to Applicant's continuing duty under 37 CFR 1.56 to bring any information which may be material to patentability of this application to the Examiner's attention.

Applicant makes no representation that a search has been conducted by the Applicant, or that there is not possibly more relevant art. Applicant also makes no representation that the information submitted herewith is in fact material.

☐ No copies enclosed: The publications listed on the enclosed PTO Form 1449 have been previously cited by or submitted to the PTO as recited in the Information Disclosure Statement Transmittal that accompanies this paper. In accordance with the provisions of 37 C.F.R. 1.98(d), no copies of these publications are being provided.

☒ Copies enclosed: Copies of the publications listed on the enclosed PTO Form 1449 are being provided with this Information Disclosure Statement.

- ☐ The enclosed publications were cited in a foreign examination report in a related case. A copy of the search report and the cited references are attached hereto.
- ☐ The search report is not in the English language and a translation of the search report is enclosed.
- ☒ At least one of the enclosed publications is not in the English language.
- ☒ English translation(s) are enclosed.
- ☐ Enclosed is an explanation of the relevance of non-English publications for which an English translation is not available.
- ☐ The explanation is in the form of an English language search report.

The entities which have a duty to disclose relevant information to the U.S. Patent and Trademark Office under 37 CFR 1.56 have a belief that third parties may possibly have pending applications directed towards the same general subject matter as the subject matter of the present application. However, these applications are secret in nature, and copies of the applications are not available to the applicants or their representatives. Thus, Applicants are not able to provide copies of the applications with this Information Disclosure Statement ("IDS") and they do not know the actual subject matter of these third party applications.

Therefore, in accordance with the duty of disclosure, applicants are providing publications, listed on the attached Form PTO 1449, which proclaim that third parties have patent applications. Descriptions of the possible applications which may be related to the present application are set forth below with reference to the documents listed on the attached Form PTO 1449, where applicable. The information provided herein may allow the PTO to identify the third party applications, and determine if they are prior art, and/or relevant to the present application including to determine if they are relevant for interference purposes. The possible third party applications are:

1. An Application to James Grossman, who is believed to be represented by Thomas E. Spath (Reg. No. 25,928), of Abelman, Frayne, & Schwab in New York, New York.
2. An Application assigned to VolumeBuy and/or Innovative Concepts Group, Inc., possibly entitled "Public Network-Based Order Pooling System," possibly filed on January 19, 1999 and naming as inventors Emanuel Leibzon, Valentina Leibzon, and/or Greg Perlman, with the attorneys of record possibly being Knobbe, Martens, Olson, and Bear LLP of Newport Beach, California.
3. An Application to Matthew Pallakoff, entitled "On-Line Marketing System and Method," believed to claim priority from provisional applications 60/097,932 and

60/097,933, both filed on August 25, 1998 and assigned to Accompany, Inc. Accompany, Inc. is believed to have changed its name to Mobshop, Inc. (Applicants have enclosed a copy of PCT No. WO 00/11570, listed on the attached Form PTO 1449 as F1, to assist the Examiner in determining if such an application exists.)

4. An Application assigned to Accompany, Inc. for which Accompany, now known as MobShop, has received a Notice of Allowance. The application is discussed on mobshop's website at http://www.mobshop.com/press_release?release=20, a copy of which is attached, and listed on the attached Form PTO 1449 as D66.

5. Two utility applications filed on July 7, 1999 by iCoop, Inc, based upon provisional patent applications filed on January 22, 1999. The applications are discussed on iCoop's website at http://www.icoop.com/press_pressreleases2.htm, a copy of which is attached, and listed on the attached Form PTO 1449 as D67.

6. An application assigned to beMANY!, Inc., filing date unknown, possibly naming George Jankovic, Mircea Mihaescu, William Robinson, Virginia Bonker, Bradley Feld, Michael Hagan, Thomas Gieselmann, Patti Manual Hart, and/or Charles Katzas as inventors. See the press release from beMANY! included with this IDS and listed on the Form PTO 1449 as D68.

7. An application assigned to BazaarE.com, Inc., possibly naming Dr. Bala Veeramacheneni, Anil Kadiyala, Srikanth Chimata, Vishy Ganti, and Vamsi Naidu as inventors, and/or possibly listing Wilson Sonsini Goodrich & Rosati as attorneys of record. See the press release from BazaarE.com, Inc. included with this IDS and listed on the Form PTO 1449 as D69.

8. An Application to Yossi Gliksman on an "Aggregator Driven" business model.


The subject application is believed patentable over any of the above references.

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Enclosures: 1. Form PTO 1449
2. Copies of references cited on Form PTO-1449

Respectfully submitted,
COOLEY GODWARD LLP

By:


Thomas L. Ewing
Reg. No. 34,328

INFORMATION DISCLOSURE STATEMENT
(Use several sheets if necessary)

APPLICANT:
Amir ALON, et al.

FILING DATE
February 03, 2000

GROUP
2768

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	P1	3,581,072	05/25/71	Nymeyer			
	P2	4,567,359	01/28/86	Lockwood			
	P3	4,789,928	06 Dec 1988	Fujisaki			
	P4	4,949,248	08/14/90	Caro			
	P5	5,148,365	09/15/92	Dembo			
	P6	5,255,184	19 Oct 1993	Hornick, et al.			
	P7	5,270,921	14 Dec 1993	Hornick			
	P8	5,377,095	12/27/94	Maeda et al.			
	P9	5,576,951	11/19/96	Lockwood			
	P10	5,640,569	06/17/97	Miller et al.			
	P11	5,712,985	01/27/98	Lee et al.			
	P12	5,724,521	03/03/98	Dedrick			
	P13	5,729,700	17 Mar 1998	Melnikoff			
	P14	5,745,882	04/28/98	Bixler et al.			
	P15	5,758,327	05/26/98	Gardner et al.			
	P16	5,758,328	May 26, 1998	Giovannoli			

EXAMINER

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* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformation and not considered. Include a copy of this form with the next communication to applicant.

INFORMATION DISCLOSURE STATEMENT
(Use several sheets if necessary)APPLICANT:
Amir ALON, et al.FILING DATE
February 03, 2000GROUP
2768

P17	5,765,143	06/09/98	Sheldon et al.			
P18	5,794,207	11 Aug 1998	Walker, et al.			
P19	5,794,219	Aug. 11, 1998	Brown			
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P21	5,799,284	Aug. 25, 1998	Bourquin			
P22	5,806,047	09/08/98	Hackel et al.			
P23	5,809,144	Sept.15, 1998	Sirbu, et al.			
P24	5,818,914	10/06/98	Fujisaki			
P25	5,826,244	Oct. 20, 1998	Hubermann			
P26	5,832,459	11/03/98	Cameron et al.			
P27	5,835,896	10 Nov 1998	Fisher, et al.			
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P31	5,890,138	Mar. 30, 1999	Godin, et al.			
P32	5,895,454	04/20/99	Harrington			
P33	5,897,639	04/27/99	Greef et al.			
P34	5,915,209	06/22/99	Lawrence			

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P36	5,956,709	09/21/99	Xue			
P37	5,983,199	11/09/99	Kaneko			
P38	6,000,826	12/14/99	Parunak et al.			
P39						
P40						
P41						
P42						
P43						

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
F1	WO 00/11570	03/02/00	PCT				
F2							

OTHER PUBLICATIONS (including Author, Title, Date, Pertinent Pages, Etc.)

D1	Letter from Woolcott dated August 31, 1999 and Search Report
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Form PTO-1449 (REV. 8-83)	U E	DEPARTMENT OF COMMERCE T AND TRADEMARK OFFICE	ATTY. DOCKET MCTA-004/010	SERIAL NO. 09/497,373
INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)			APPLICANT: Amir ALON, et al.	
			FILING DATE February 03, 2000	GROUP 2768

D2	Dialog , The Gale Group Newsletter, "New Twist to Online Shopping: Service Hopes to Break Customer Apathy," Internet Week, 1(7), 22-May-1995
D3	Dialog , The Gale Group Newsletter, "In Year 2020, Auctions and Agents to Rule Web," Newsbytes, 23-Mar-1998
D4	Dialog, "New Tricks in Pet Supplies" by Minkoff, J., Discount Merchandiser, 34(12)70-72, 1994
D5	Online Document from Software Patent Institute Database of Software Technology, http://m.spi.org/ , Record 1: "Management Data Processing," Serial No. acmr6512.0039, Printed 20-Sep-1999
D6	Online Document from Software Patent Institute Database of Software Technology, http://m.spi.org/ , Record 2: "Management Science," Serial No. ACMGCL89.1066, Printed 20-Sep-1999
D7	Online Document from Software Patent Institute Database of Software Technology, http://m.spi.org/ , Record 17: "Distribution Resource Planning," Serial No. HPAPPS.2620, Printed 20-Sep-1999
D8	Online Document from IBM Intellectual Property Network, http://www.patents.ibm.com/ , Titled: Personalized Optimized Decision/Transaction Program, Jan. 1995, Reprinted 24-Nov-1999
D9	Online Document from Agorics, Inc., http://www.agorics.com/ , Sections: "A Survey of Auctions," "English Auction," "A Dutch Auction," "The First Price Auction," "The Vickrey Auction," "The Double Auction," "Auction Offshoots," "Auction Strategies," "Auction Histories," "Government Securities-Auctioned Off," "Collusion in Auctions," "Auction Bibliography," Dated 1996, Reprinted 25-Oct-99
D10	Online Document from Forbes.com, http://www.forbes.com , Forbes Global, Computer Science Section of 28-Dec-98, "Coming Soon-Cyber Co-ops" by Karlgaard, Printed 16-Nov-99
D11	Management and Specialist Team, LetsBuyIt.com, http://www.euroferret.com , Jan 15, 1999; Online Document, http://www.alumni.se/e-commerce/default.htm , Jan. 15, 1999, Printed 19-Nov-1999
D12	Online Document from Bid.com, http://www.bid.com/dutch , Printed 03-Sep-1999
D13	Online Document from Bullnet Online Auctions, http://www.bullnet.co.uk/auctions/info.htm , Printed 03-Sep-1999
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D16	Online Document from Franklin Regional Council Governments, http://www.frcog.or/purch.html , Printed 20-Sep-1999
D17	Online Document from Klik-Klok Online Dutch Auction, http://www.klik-klok.com/how.htm , Printed 03-Sep-1999

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- | | |
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| D18 | Online Document, ComputerSweden, "Icon-grundare satsar närmare halv miljard på e-handel," http://nyheter.idg.se , 23 Jan 1999 (w/English translation) |
| D19 | Online Document from Artiklar från AffärsData ("Resumé"), http://www.ad.se , 25 Feb 1999 (w/English translation) |
| D20 | Online Document from ComputerSweden, "Lke;; Spångberg--," http://nyheter.idg.se , 3 Mar 1999 |
| D21 | Online Document from Accompany: About Team, http://www.accompany.com/about_press_faq.asp , Printed 03 Mar 1999 |
| D22 | Online Document from Accompany: About US, http://www.accompany.com/about_press_0.asp , Printed 03 Mar 1999 |
| D23 | Online Document from Accompany: About Team, http://www.accompany.com/about_team.asp , Printed 03 Mar 1999 |
| D24 | Online Document from Accompany: About Team Advisors, http://www.accompany.com/about_team_advisors.asp , Printed 03 Mar 1999 |
| D25 | Online Document from Accompany: About Team, http://www.accompany.com/about_press_analyst.asp , Printed 03 Mar 1999 |
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| D30 | Online Document from ZDNN, http://www.zdnet.com/stories/news , Printed 03 Mar 1999 |
| D31 | NewsAlert, "Accompany, Inc. to Revolutionize Commerce; Buys Come Together for Best Value," http://www.accompany.com , Printed 03 Mar 1999 |
| D32 | Online Document from Yahoo, "Web startup pushes volume shopping," http://dailynews.yahoo.com , Printed 04 Mar 1999 |
| D33 | Abstract, World Reporter, Dagens Industri, "Expected success for internet shopping," WL 5900897, 12 Mar 1999 |
| D34 | U.S. Application No. 60/119,220 Filing Receipt and Specification, "A method and apparatus for creating and managing groups for increasing buying power on the World Wide Web," 08 Feb 1999 |
| D35 | Article from Sportfack, "Letsbuyit.com Kommer," 12 Feb 1999 |

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| D36 | IBM Technical Disclosure Bulletin, "Multi-Product Delivery System Optimization Procedure," 38(4):502-503, Apr-1995 |
| D37 | Kroll et al., "World Weary Web," Forbes, 28-Dec-98, pp. 98-100 |
| D38 | Pant et al., "Business on the Web: Strategies and Economics," Fifth International WWW Conference, May/6-10/1996, Paris, France |
| D39 | Rockoff et al., "Design of an Internet-based System for Remote Dutch Auctions," <u>Internet Research: Electronic Networking Applications and Policy</u> , 5(4):10-16, 1995 |
| D40 | Stang et al., "Scans" Section, <u>Wired</u> , September 1995, pp. 51, 54, 56 and 58 |
| D41 | Woolley, "Price War!," <u>Forbes</u> , 14-Dec-1998, pp. 182 and 184 |
| D42 | Online Document from OCM, http://www.cynric.org/OCM/administration/management/services/coop.html , Printed 20-Sep-1999 |
| D43 | Online Document from Dagens Industri, "Rush into Net-shopping," http://www.di.se/Scripts/ , Document dated 12 Mar 1999, Printed 19 Jan 2000 (with English Translation) |
| D44 | Online Document, "US-IL-Chicago-Cargo Revenue Management Analyst," "US-IL-Chicago - Revenue Manager," "US-IN-Indianapolis - Yield Analyst," "US-CA-San Jose - Financial Analyst," http://jobsearch.monster.com , Printed 24 Mar 1999 |
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| D46 | Online Document from The Revenue Management Home Page, "Revenue Management Defined," http://www.geocities.com/WallStreet/Floor/4921/ , Printed 18 Mar 1999 |
| D47 | Online Document from The Revenue Management Home Page, "Articles on Revenue Management," http://www.geocities.com/WallStreet/Floor/4921/articles.htm , Printed 18 Mar 1999 |
| D48 | Online Document from The Revenue Management Home Page, "Companies Practicing Revenue Management," http://www.geocities.com/WallStreet/Floor/4921/rmcomps.htm , Printed 18 Mar 1999 |
| D49 | Online Document from Revenue Management Systems, Inc., "What is Revenue Management?" http://www.revenuemanagement.com/whatism.htm , Printed 19 Mar 1999 |
| D50 | Online Document from profitoptim.com, "Definition of Revenue Management," http://www.profitoptim.com/papersdirectory/rmdaybrief/sld063.htm , Printed 19 Mar 1999 |
| D51 | Online Document from profitoptim.com, "What is Revenue Management (cont.)?" http://www.profitoptim.com/papersdirectory/resexpo97/sld006.htm , Printed 19 Mar 1999 |
| D52 | Online Document from American Way, "How Airline Pricing Works," http://www.aa.com/away/Vantage/Vantage-may98.htm , Printed 18 Mar 1999 |
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		FILING DATE February 03, 2000	GROUP 2768

D54	Online Document from The Innovation Network, "1994 Innovation Collection," http://198.49.220.47/texis/si/sc/ile/+KoeMUI3WwBme+It0X0www/full.html , Printed 19 Mar 1999
D55	Online Article by W. Lieberman of Veritec Solutions, Inc., "Yield Management: System or Program?" http://www.veritecsolutions.com , Site visited on 19 Mar 1999
D56	Online Article by W. Lieberman of Veritec Solutions, Inc., "Making Yield Management Work for You: Ten Steps to Enhanced Revenues," http://www.veritecsolutions.com , Site visited on 19 Mar 1999
D57	Online Article by W. Lieberman of Veritec Solutions, Inc., "Debunking the Myths of Yield Management" http://www.veritecsolutions.com , Site visited on 19 Mar 1999
D58	Online Document from StoreSearch Internet Shopping Guide, http://www.storesearch.com/ , Site visited on 31 Aug 1999
D59	Online Document from Netscape Netcenter, http://shop.netscape.com/auctions/main.adp , Site visited on 31 Aug 1999
D60	Online Document from Yahoo! Auctions, http://auctions.yahoo.com/ , Site visited on 31 Aug 1999
D61	Online Document from Lycos: Sales & Specials, http://www.lycos.com/Shopping/sales_and_specs/ , Sited visited on 31 Aug 1999
D62	Hutchinson, "E-Commerce: Building a Model," Communications Week, pp. 57-60, 17 Mar 1997
D63	M2 Communications, "Icentral Inc: Web Retailers Band Together to Build Traffic and Sales," M2 Presswire, 25 Feb 1997
D64	Berryman et al., "Electronic commerce: Three Emerging Strategies," McKinsey Quarterly, No. 1, pp. 152-159, 1998
D65	"BuyItOnline Revolutionizes Internet Retailing for Small Business Merchants," Business Wire, 08 Sep 1998
D66	Press Release from MobShop, formerly known as Accompany, Inc., obtained from the Internet at http://www.mobshop.com/press_release?release=20 on April 10, 2000, which explains that Accompany, Inc. received a Notice of Allowance from the U.S. Patent and Trademark Office.
D67	Press Release from iCoop, Inc. obtained from the Internet at http://www.icoop.com/press_pressrelease2.htm on April 10, 2000, which explains that iCoop.com, Inc. has filed two patent applications and has provisional patent applications which were filed on January 22, 1999.
D68	Press Release from beMANY! obtained from the Internet at http://www.bemany.com/press02112000_bemany.html on April 10, 2000, which explains that beMANY! has a "patent pending process."
D69	Press Release from the company BazaarE.com obtained from the Internet at http://www.bazaare.com/pr_03111999.cfm?CFID=62916&CFTOKEN=75630214 on April 10, 2000, which explains that BazaarE.com has a "patent-pending platform."

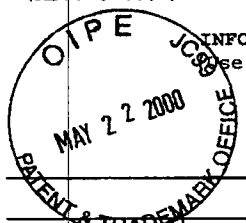
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		FILING DATE February 03, 2000	GROUP 2768



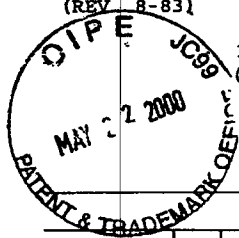
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U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE
17	P1	3,581,072	05/25/71	Nyreyer			
77	P2	4,567,359	01/28/86	Lockwood			
77	P3	4,789,928	06 Dec 1988	Fujisaki			
77	P4	4,949,248	08/14/90	Caro			
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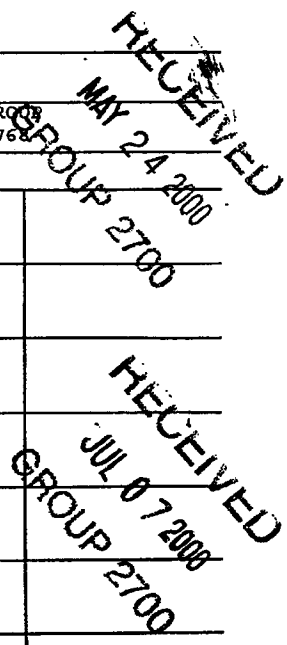
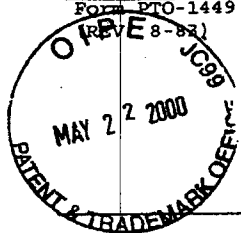
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						YES	NO
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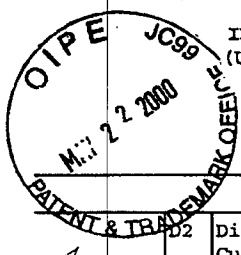
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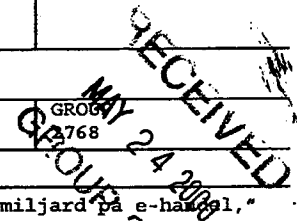
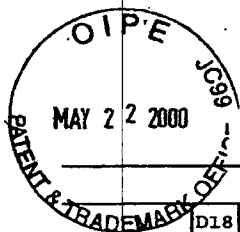
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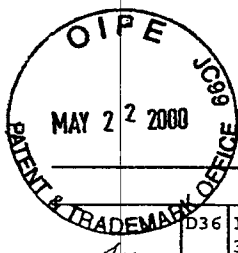
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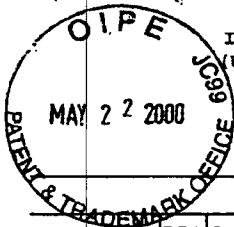
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77	D67	Press Release from iCoop, Inc. obtained from the Internet at http://www.icoop.com/press_pressrelease2.htm on April 10, 2000, which explains that iCoop.com, Inc. has filed two patent applications and has provisional patent applications which were filed on January 22, 1999.
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